

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KENNETH HUBBARD,

Plaintiff

v.

DAVID BRUMAN, et al.,

Defendants

Case No.: 2:19-cv-01696-APG-BNW

**Order Accepting Report and
Recommendation and Dismissing This
Case Without Prejudice**

[ECF Nos. 1, 8]

On June 25, 2021, Magistrate Judge Weksler recommended that I dismiss this case without prejudice because plaintiff Kenneth Hubbard has not updated his address with the court and has not complied with court orders directing him to indicate whether he intended to prosecute this case. ECF No. 8. Hubbard did not object. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo determination of those portions of the report or specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

I THEREFORE ORDER that Judge Weksler’s report and recommendation (**ECF No. 8**) **is accepted**. Plaintiff Kenneth Hubbard’s complaint (**ECF No. 1-1**) **is dismissed without prejudice** and his application for leave to proceed in forma pauper (**ECF No. 1**) **is denied as moot**. The clerk of court is instructed to close this case.

DATED this 20th day of July, 2021.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE